

MEMORANDUM

January 23, 1975

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert T. Kenney, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

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Hearing date: 1/28/75

Petition No. Z-3251  
David O. Hunter  
11 Clarkwood Street, Mattapan  
near Blue Hill Avenue

Two-and-a-half-story frame dwelling - residential (R-.8) district.

Purpose: to change occupancy from one-family dwelling and dentist's office  
to one-family dwelling and day care center.

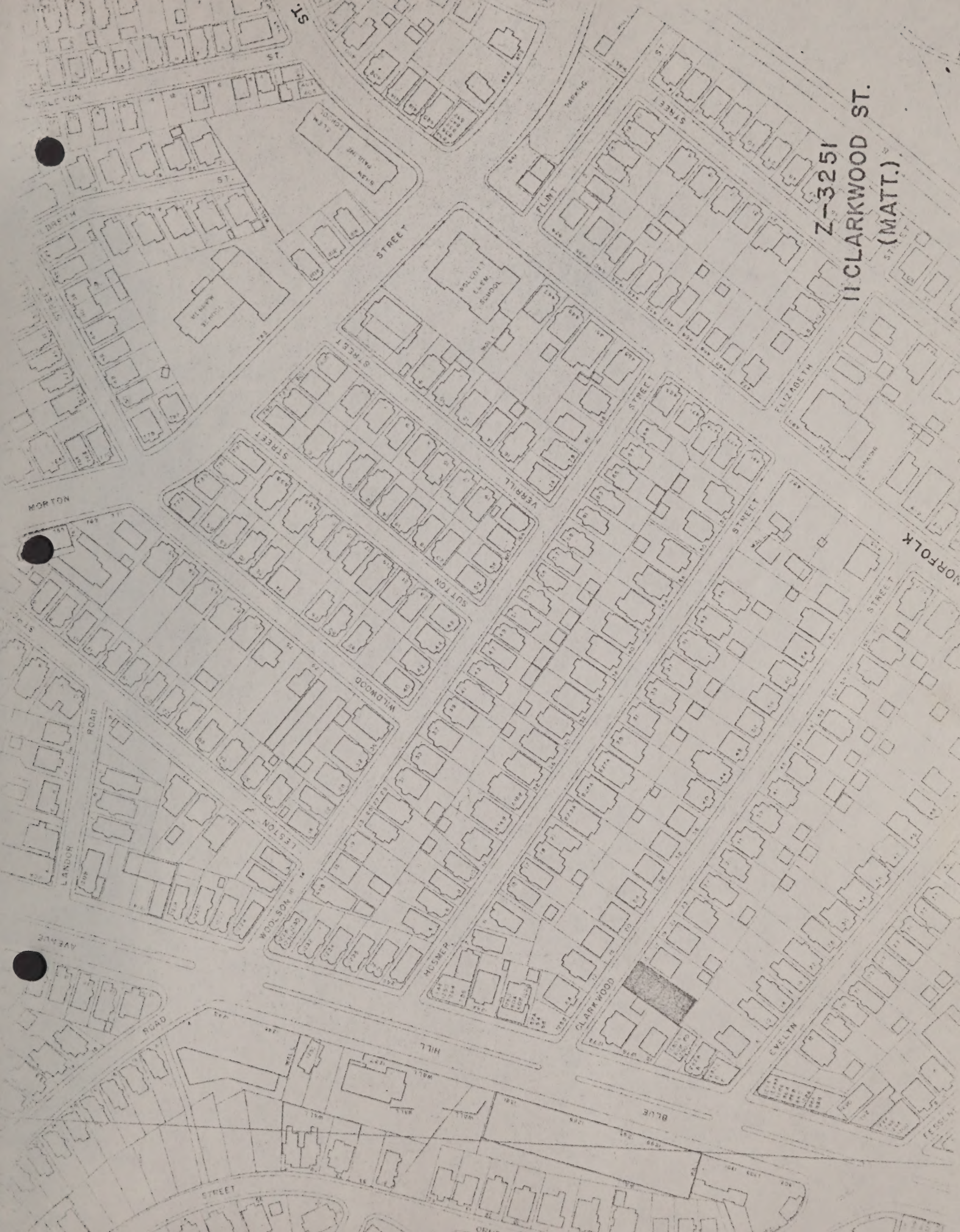
Violation:

Section 8-7. A day care center not accessory to certain institutional and  
recreational uses is conditional in an R-.8 district.

Accommodations would be provided for 35 children. There is no apparent  
neighborhood objection. Facility should comply with all state regulations.  
Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-3251, brought  
by David O. Hunter, 11 Clarkwood Street, Mattapan,  
for a conditional use for a change of occupancy from  
a one-family dwelling and dentist's office to a one-  
family dwelling and day care center in a residential  
(R-.8) district, the Boston Redevelopment Authority  
recommends approval provided that the facility con-  
forms with all state regulations. There is no  
apparent neighborhood objection.





Z-3251  
11 CLARKWOOD ST.  
(MATT.)



Board of Appeal Referrals 1/23/75

Hearing date: 1/28/75

Petition No. Z-3252  
Servingio Rugo  
Stair Carft Steel Corporation  
266 Quincy Street and 2 Baker Avenue,  
Dorchester

One-story masonry structure - local business (L-1) district.

Purpose: to change occupancy from warehouse to manufacture of light iron and metal products.

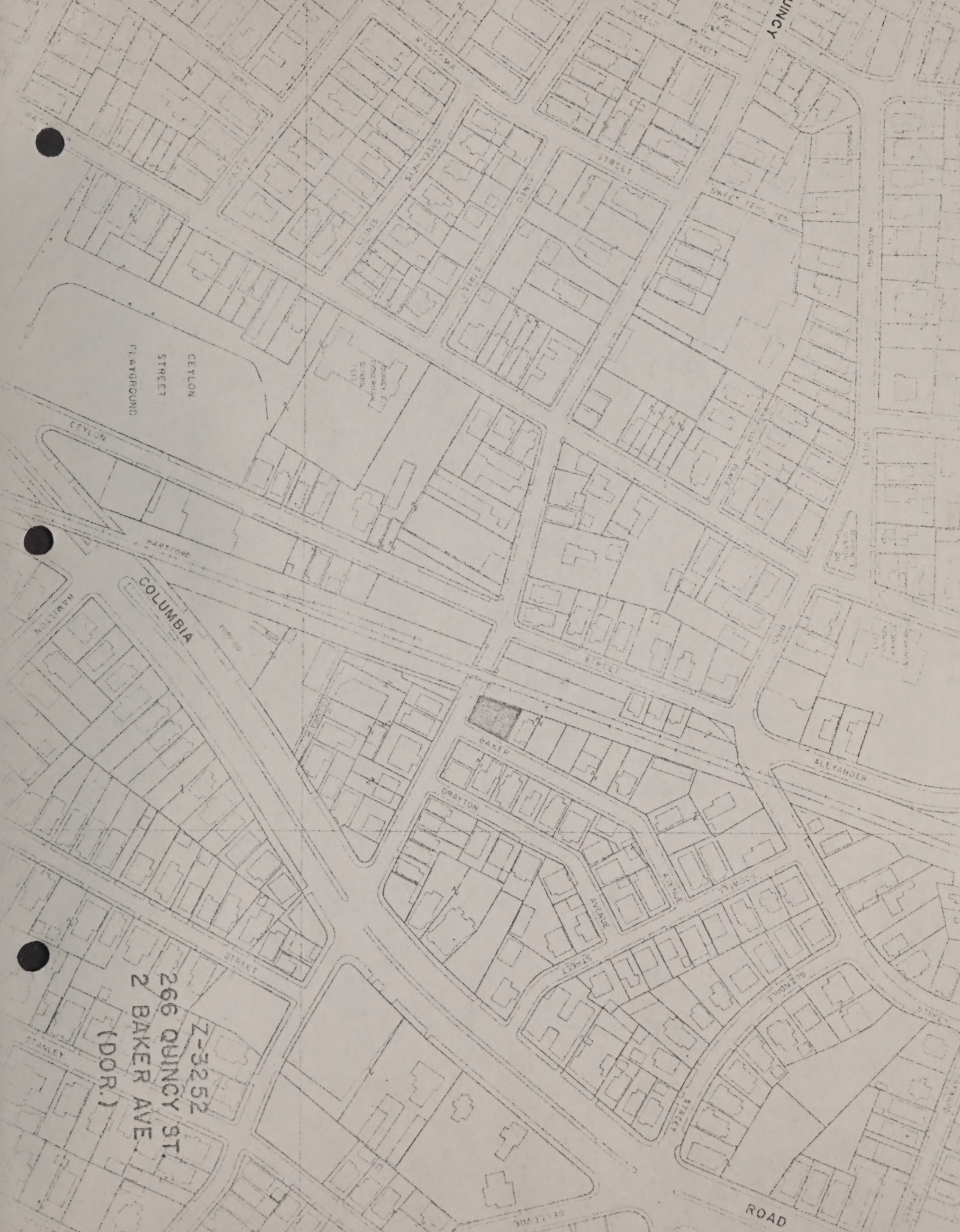
Violation:

Section 9-2 A change in a nonconforming use requires Board of Appeal approval.

The vacant property is adjacent to the Penn Central Railroad right of way and the City of Boston School Department central kitchen facility. Restoration of the structure to a viable use would improve the area and would not adversely affect surrounding properties. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3252, brought by Servingio Rugo and Stair Craft Steel Corporation, 266 Quincy Street and 2 Baker Avenue, Dorchester, for a change in a nonconforming use for a change of occupancy from a warehouse to manufacture of light iron and metal products in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided that there would be no outdoor storage of materials and that any noise, odors, and dust be effectively confined to the lot. Restoration of this vacant structure to a viable use would improve the area and would not adversely affect surrounding properties.





CEYLON  
STREET  
PLAYGROUND

266 QUINCY ST.  
2 BAKER AVE.  
(DOR.)

Z-3252

ROAD



Board of Appeal Referrals 1/23/75

Hearing date: 1/28/75

Petition No. Z-3253  
James and Geraldine Fetch  
12 Surrey Street, Brighton  
near Market Street

Two-and-a-half-story frame structure - general business (B-1) district.

Purpose: to change occupancy from one-family dwelling and lodging house  
to a two-family dwelling and lodging house (17 lodgers).

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirements for open space is forbidden in a B-1 district.		
Section 17-1. Open space is insufficient.	1000 sf/du	430 sf/du

The 2-family, 17-lodger density is existing; it is unwarranted and hazardous and intensifies parking problems in this primarily single-family neighborhood. No evidence has been submitted to justify this overcrowding condition.

Recommend denial.

VOTED: That in connection with Petition No. Z-3253, brought by James and Geraldine Fetch, 12 Surrey Street, Brighton, for a forbidden use and a variance for a change of occupancy from a one-family dwelling and lodging house to a two-family dwelling and lodging house in a general business (B-1) district, the Boston Redevelopment Authority recommends denial. The existing two-family, seventeen-lodger density is unwarranted and hazardous and intensifies parking problems in this primarily single-family neighborhood. No evidence has been submitted to justify this overcrowding condition.





Z-3253  
12 SURREY ST.  
(BRI.)



Board of Appeal Referrals 1/23/75

Hearing date: not yet  
scheduled

Petition No. Z-3255  
Newton Historical Realty Trust  
Francis G. Mazzola, Trustee  
17-21 Sparhawk Street, Brighton  
near Menlo Street

Three-story frame structure - 37,980 square feet of land - residential (R-.5) district.

Purpose: to erect 3½-story, 142-bed nursing home.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A nursing home is forbidden in an R-.5 district.		
Section 14-2. Lot area for additional unit is insufficient.	3000 sf/u	471 sf/u
Section 15-1. Floor area ratio is excessive.	0.5	1.1
Section 16-1. Height of building is excessive.	2½ stories	3½ stories
Section 23-3. Off-street parking is insufficient.	74 spaces	45 spaces

In November 1973, the Authority recommended denial of a proposal submitted by the petitioner for a 160-bed facility; the Board of Appeal subsequently concurred.

Current proposal would be detrimental to this quiet residential street and the surrounding neighborhood. Traffic congestion and multiple curb parking would increase hazards to neighborhood residents. Recommend denial.

VOTED: That in connection with Petition No. Z-3255, brought by Newton Historical Realty Trust, Francis G. Mazzola, Trustee, 17-21 Sparhawk Street, Brighton, for a forbidden use and four variances to erect a 3½-story, 142-bed nursing home in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The facility would be detrimental to this quiet residential street and the surrounding neighborhood. Traffic congestion and multiple curb parking would increase hazards to neighborhood residents.





2-3255  
17-21 SPARHAWK ST.  
(BR1.)



Board of Appeal Referrals 1/23/75

Hearing date: 1/28/75

Petition No. Z-3256  
Wayne Soverns, Jr.  
9 Harley Street, Dorchester  
near Welles Avenue

Two-and-a-half-story frame structure - residential (R-.5) district.

Purpose: to change occupancy from one-family to two-family dwelling.

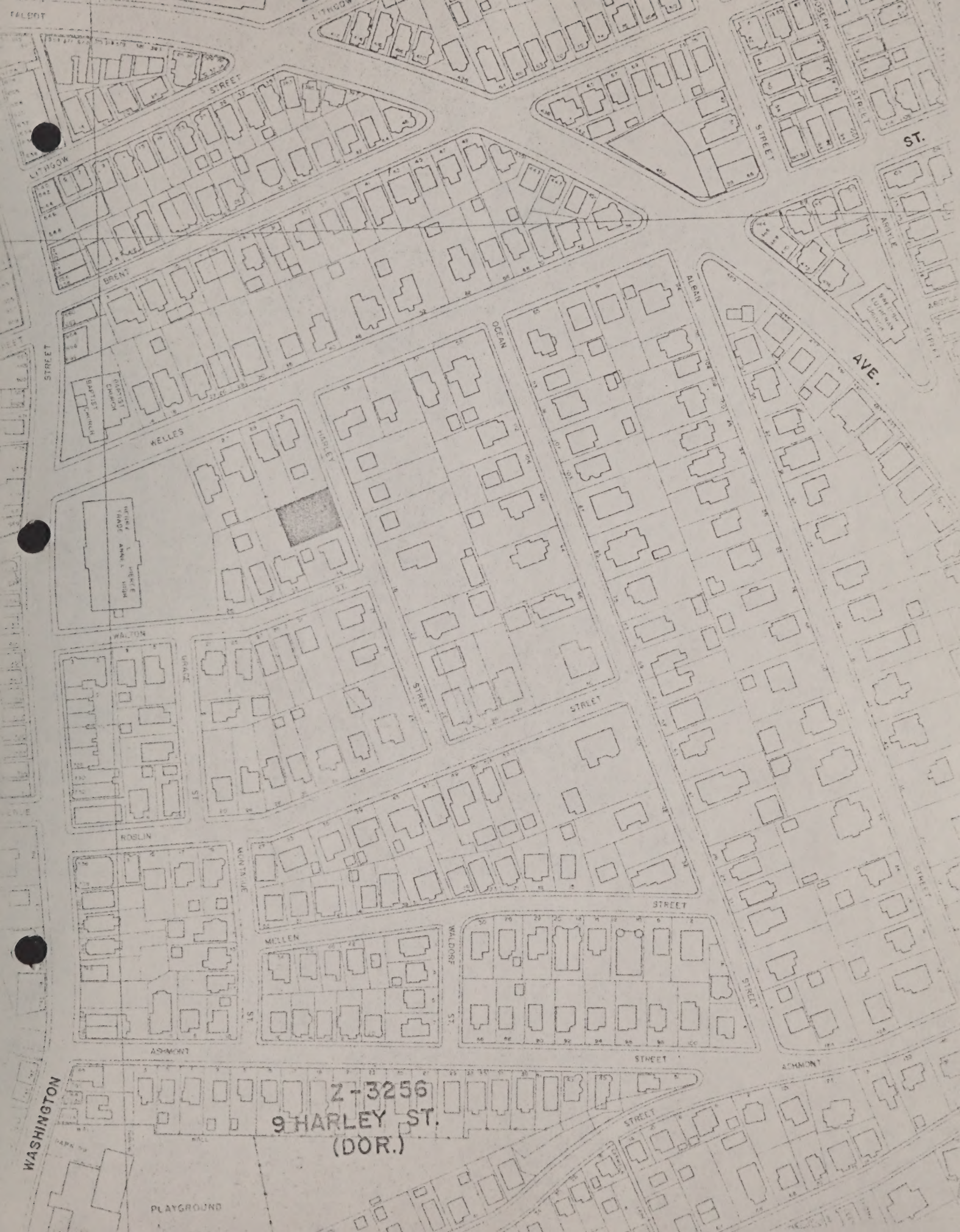
Violation:

Section 8-7. A dwelling converted for more families which meets not less than one-half the requirements of lot area is conditional in an R-.5 district.

Petitioner is rehabilitating this formerly deteriorated structure. The two-family occupancy would be consistent with surrounding residential properties. Recommend approval.

VOTED: That in connection with Petition No. Z-3256, brought by Wayne Soverns, Jr., 9 Harley Street, Dorchester, for a conditional use to change occupancy from one-family to two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. The two-family occupancy would be consistent with surrounding residential properties. Petitioner is rehabilitating this formerly deteriorated structure.





Z-3256  
9 HARLEY ST.  
(DOR.)

PLAYGROUND



Board of Appeal Referrals 1/23/75

Hearing date: 1/28/75

Petition No. Z-3257  
Bohen Realty Trust  
Roger M. Cohen, Trustee  
119 Newbury Street Boston  
near Clarendon Street

Four-story structure - general business (B-4-70) district.

Purpose: to change occupancy from six apartments and retail store to six apartments, restaurant, and beauty shop.

Violation:

Section 8-7. A restaurant is conditional in a B-4-70 district.

The beauty shop is existing; proposed restaurant would replace a clothing store. Following is recommended: that the proposed canopy be eliminated; that the restaurant operation terminate at 11:00 P.M. each evening and exterior service terminate at 10:00 P.M.; that the restaurant plans be approved by the Health and Hospitals Department; that the restaurant plans be submitted to the Authority for design review. Recommend approval with provisos.

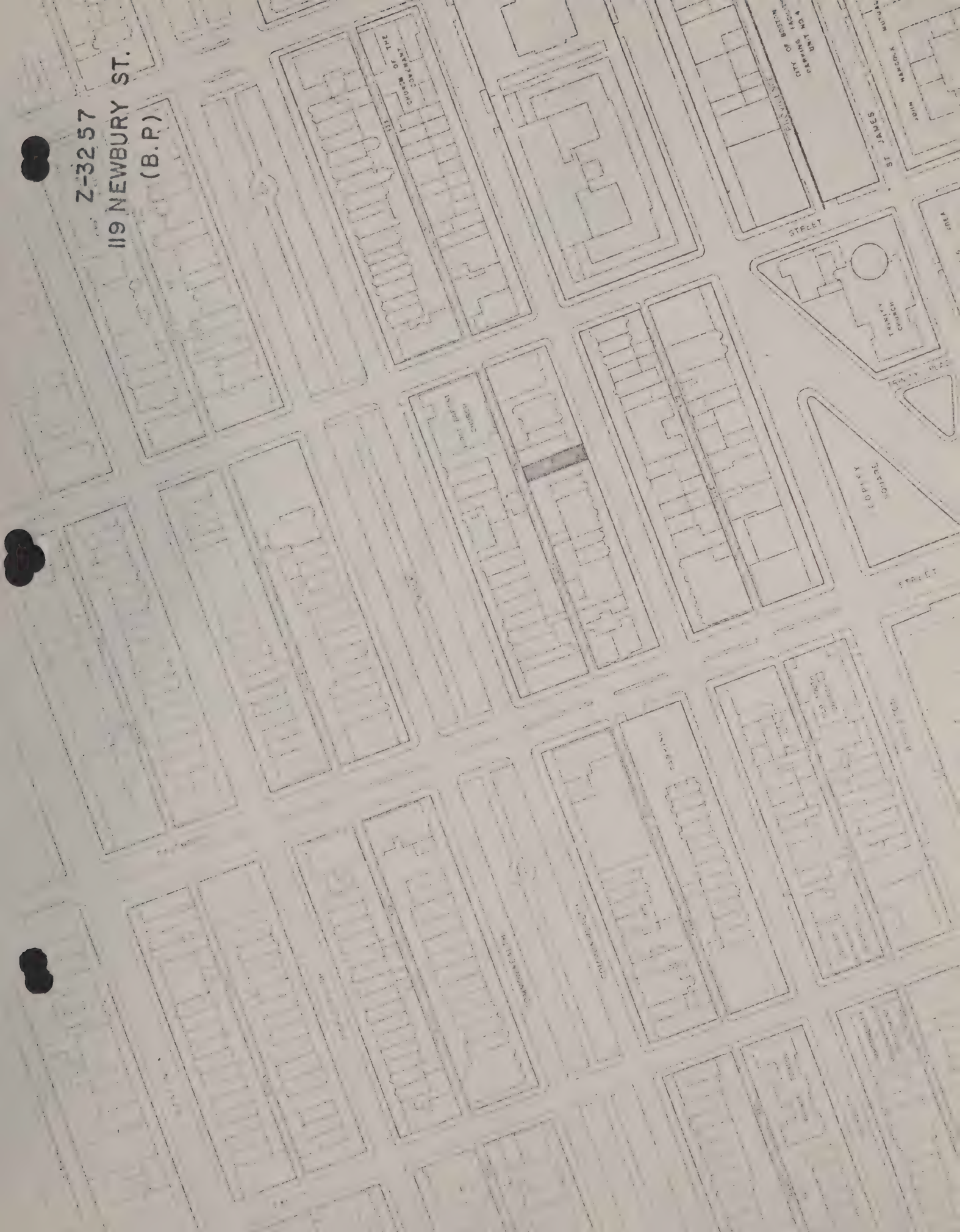
VOTED: That in connection with Petition No. Z-3257, brought by Bohlen Realty Trust, 119 Newbury Street, Boston, for a conditional use for a change of occupancy from six apartments and retail store to six apartments, restaurant, and beauty shop in a general business (B-4-70) district, the Boston Redevelopment Authority recommends approval with the following conditions: that the proposed canopy be eliminated; that the restaurant operation terminate at 11:00 P.M. each evening and exterior service terminate at 10:00 P.M.; that the restaurant plans be approved by the Health and Hospitals Department; that the restaurant plans be submitted to the Authority for design review.



Z-3257

119 NEWBURY ST.

(B.P.)





Board of Appeal Referrals 1/23/75

Hearing date: 2/4/75

Petition No. Z-3258  
United Presbyterian Church of  
Hyde Park—Mattapan  
1109 River Street, Hyde Park  
near Webster Street

8500 square feet of land - residential (R-.5) district.

Purpose: to erect one-story-plus-basement church structure.

Violations:

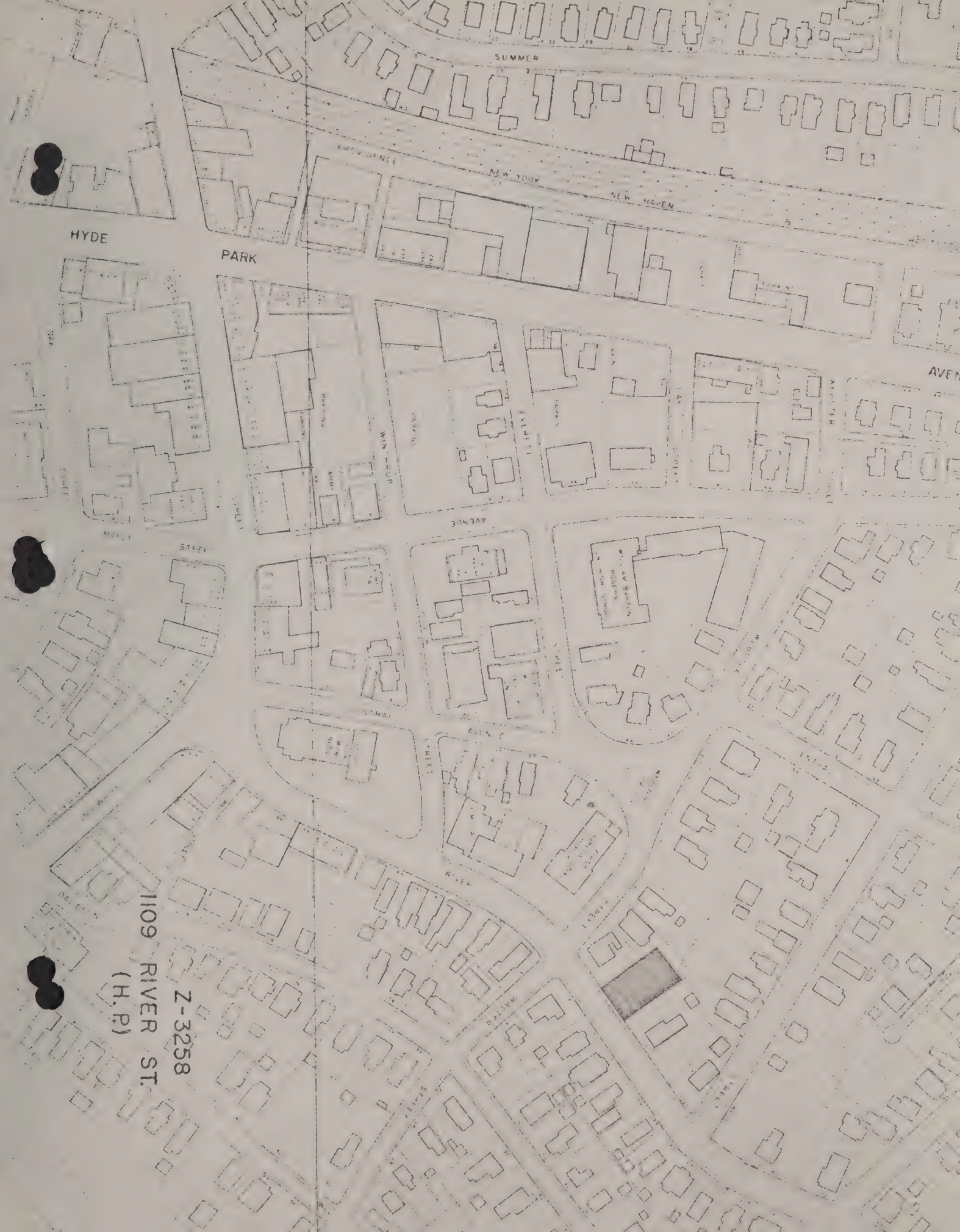
	<u>Required</u>	<u>Proposed</u>
Section 14-2. Lot area per additional unit is insufficient.	3000 sf/u	1750 sf/u
Section 15-1. Floor area ratio is excessive.	.5	.6
Section 20-1. Rear yard is insufficient.	40 ft.	30 ft.
Section 23-2. Off-street parking is insufficient.	15 spaces	0

Facility would replace one destroyed by fire in March 1974.

A church has existed at this site for more than 70 years. Floor area would be less than formerly. Off-street parking deficiency is mitigated by the fact that many parishoners live nearby and walk to services. Recommend approval with design review (landscape) proviso.

VOTED: That in connection with Petition No. Z-3258, brought by United Presbyterian Church of Hyde Park—Mattapan, 1109 River Street, Hyde Park, for four variances to erect a one-story-plus-basement church in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided that landscaping plans are submitted to the Authority for design review. Floor area would be less than former facility. Off-street parking deficiency is mitigated by the fact that many parishoners live nearby and walk to services.





SUMMER

HYDE PARK

NEW YORK

NEW HAVEN

HYDE

PARK

AVENUE

1109 RIVER ST.

(H.P.)

Z-3258



Board of Appeal Referrals 1/23-75

Hearing date: 2/4/75

Petition No. Z-3259  
Luster T. Delany  
79 Brighton Avenue, Allston  
near Chester Street

Three-story masonry structure - local business (L-1) district.

Purpose: to change occupancy from two-family dwelling and real estate office to two-family dwelling and offices.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive.	1	2

Real estate office exists at first-floor level. Proposed offices would be located in the basement. Alterations would include installation of new windows. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3259, brought by Luster T. Delany, 79 Brighton Avenue, Allston, for a variance for a change of occupancy from a two-family dwelling and real estate office to a two-family dwelling and offices in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.







Board of Appeal Referrals 1/23/75

Hearing date: 2/4/75

Petition No. Z-3260  
Nunziante and Elise Tammaro  
216 Chelsea Street, East Boston  
near Brooks Street

Three-story masonry structure - apartment (H-1) district.

Purpose: to change occupancy from two-family dwelling and automatic laundry to three-family dwelling.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Any dwelling converted for more families which does not meet the requirements for lot area and open space is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf/du	0
Section 17-1. Open space is insufficient.	400 sf/du	97 sf/du

Additional unit would be more desirable, appropriate, and consistent with the residential nature of the neighborhood. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3260, brought by Nunziante and Elise Tammaro, 216 Chelsea Street, East Boston, for a forbidden use and two variances for a change of occupancy from a two-family dwelling and automatic laundry to a three-family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Additional unit would be more desirable, appropriate, and consistent with the residential nature of the neighborhood.



W-10-17

ST

ST

Z-3260  
216 CHELSEA ST  
(E.B.)

RECREATION



Board of Appeal Referrals 1/23/75

Hearing date: 2/4/75

Petition No. Z-3262  
Nichel Realty Trust  
R. M. Cashman  
73-79 State and 2-6 Kilby Streets, Boston

Parking lot - 3,704 square feet of land - general business (B-10) district.

Purpose: open air parking for 19 cars, charging a fee.

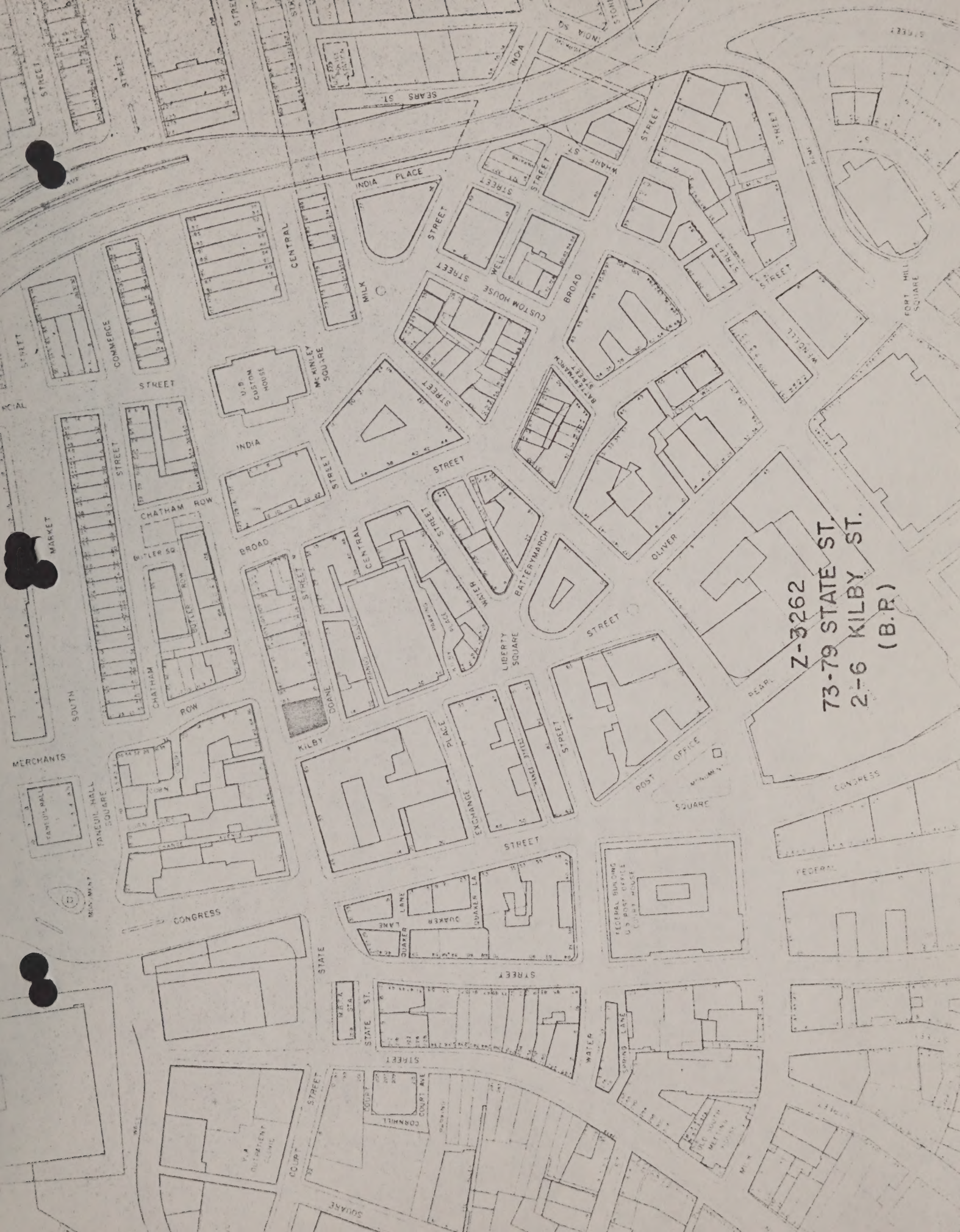
Violation:

Section 8-7. A parking lot is conditional in a B-10 district.

The facility has existed for the past four years. Staff is amenable to the continuation of the use for an additional four years, expiring December 31, 1978. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-3262, brought by Nichel Realty Trust, 73-79 State and 2-6 Kilby Streets, Boston, for a conditional use to use premises as a parking lot for 19 cars, charging a fee, in a general business (B-10) district, the Boston Redevelopment Authority recommends approval with the condition that the use expire December 31, 1978.





Z-3262  
73-79 STATE ST.  
2-6 KILBY ST.  
(B.R.)



Board of Appeal Referrals 1/23/75

Hearing date: 2/4/75

Petition No. Z-3265  
Central Congregational Church  
85 Seaverns Avenue, Jamaica Plain  
at Elm Street

One-story church - residential (R-.5) district.

Purpose: legalize occupancy for church, day care center, and assembly hall.

Violation:

Section 8-7. A day care center is conditional in an R-.5 district.

The day care facility for approximately 16-18 children under the Head Start program has existed for the last few years without any apparent adverse effects. There is sufficient play area and more than adequate off-street parking. The services are beneficial to the community and comply with conditional use requirements. Recommend approval.

VOTED: That in connection with Petition No. Z-3265, brought by Central Congregational Church, 85 Seaverns Avenue, Jamaica Plain, for a conditional use to legalize occupancy for church, day care center, and assembly hall in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. There are adequate provisions for exterior play space and off-street parking facilities. The services are beneficial to the community and comply with conditional use requirements.





Z-3265

85 SEAVERNS AVE

(J.P.)



